## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION

CIVIL ACTION NO. 5:13-CV-00130-RLV-DSC

SHARON CHOBAT,	)
Plaintiff,	)
v.	ORDER
TERESA EARNHARDT	)
DALE EARNHARDT, INC.,	)
Defendants.	)

**THIS MATTER** is before the Court upon its own motion. This case was filed in 2012 in Hamilton County, Indiana, Superior Court. (Doc. 1). Thereafter, it was removed to the Southern District of Indiana. After several extensions of time, Defendants filed a motion to transfer to this Court, which was granted on September 19, 2013. (Doc. 15, 49). At the time of transfer, trial was scheduled for November 17, 2014.

No significant activity occurred on the docket from the time period of September 19, 2013 until July 22, 2015, which was when Defendants filed a motion to compel. (Doc. 57). In other words, this case has languished on the docket. A review of the record indicates that discovery has yet to be completed and that the parties may have agreed to a settlement in principle.

Accordingly, to facilitate the prompt resolution of this case, the Court **ORDERS** the parties to file a document with this Court by no later than **Wednesday, November 25, 2015**, that provides the following:

1. That the parties have discussed by telephone whether a settlement conference would be useful in terminating this case;

- 2. A certification of whether the parties jointly agree that a settlement conference would be useful; and
- 3. If the parties do not agree to a settlement conference, a certification that the parties will engage in an Initial Attorney's Conference and file a Certification of Initial Attorney's Conference with this Court by no later than **December 9, 2015**. The proposed discovery plan should take into account the fact that this case began in 2012.

SO ORDERED.

Signed: November 23, 2015

Richard L. Voorhees United States District Judge